

EXHIBIT A

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RE: *In re High-Tech Employee Antitrust Litigation*,
11-cv-2509-LHK (N.D. Cal.)

Dear Counsel:

Defendants' July 19, 2013 "Objections to Evidence" is an improper sur-reply brief. Defendants filed it pursuant to Local Rule 7-3(d), which expressly prohibits "further argument on the motion." The sur-reply is almost entirely "further argument" on Plaintiffs' Supplemental Class Certification Motion. This argument, consisting of an improper attempt to rehabilitate Drs. Murphy and Shaw and re-argue the merits of the pending motion, is plain abuse of Local Rule 7-3(d).

By noon on Tuesday, July 23, 2013, please confirm whether Defendants will withdraw the brief. I am available to meet and confer regarding this matter in the meantime. If Defendants will not withdraw the brief, Plaintiffs will seek appropriate relief from the Court.

Very truly yours,



Dean Harvey

DMH:wp
cc: Kelly M. Dermody
Joseph R. Saveri
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